

Remarks/Arguments:

This is a reply to the office action of December 27, in which

Claim 1 has been amended by adding the limitation that the valve member is separate from the closing member. A disclosure for this feature is found in the figures 1a - 1g, 3a - 3c and 4a - 4c.

Claims 4, 5, 10 and 15 have been withdrawn from consideration by the examiner.

The indicated allowability of the subject matter of claims 13, 14 and 16 is noted; however, we believe that somewhat broader claims (e.g., claims 1 and 11) are patentable over the prior art, for reasons set out below. Claims 13, 14 and 16 thus have been kept in dependent form but they have been amended so as to depend from claim 12 instead of claim 11. The examiner's attention to this was appreciated.

Novelty of claim 1 over EP 0 161 348

Claim 1 is differentiated from the valve disclosed in EP 0 161 348 ("Tepsa") by the feature the valve member and closing member are separate. Tepsa shows a single piece dash pot (14), which moves between inlet end 8 and outlet end 9 (see page 4, lines 1522). Thus, claim 1 is novel over Tepsa.

As claim 1 is novel, each dependent claims 2 - 10 is novel as well.

Novelty of claim 11 over EP 0 161 348

Claim 11 differs from Tepsa in that it recites the following features:

- a container comprising a valve on it,

- the outlet port of the valve is adapted for direct or indirect connection to said container,
- the pressure regulating means is designed to maintain the pressure of the fluid supplied to the container below a predetermined or predeterminable first threshold selected in such a way that a valve member of the valve is brought into and maintained in the first position.

In the system according to claim 11, the fluid from a fluid source flows to the container. Because the pressure regulating means must regulate the pressure of the fluid passing the valve, the pressure regulating means must be arranged upstream of the valve.

However, Tepsa discloses a different arrangement of fluid source, valve and pressure regulator: the outlet of a propane tank is connected to the inlet port of the safety valve. From the safety valve, the gas passes a pressure regulator. The outlet of the regulator is connected to an opening gas valve which is connected to a flame nozzle (see p.7, lines 19-25). Thus, Tepsa discloses no container which is connected to the outlet port of the valve.

Thus the system according to claim 11 is new over Tepsa. Note that novelty of claim 11 over Tepsa was acknowledged by the International preliminary search authority.

Amended claims 13, 14, and 16

The claims 13, 14 and 16 have been made dependent on claim 12. Now the feature “control means” which is defined in claim 12, provides antecedent basis for claims 13, 14 and 16, obviating the rejection under 35 USC §112.

Novelty of claim 17 over EP 0 161 348

Claim 17 relates to container for storing fluids provided with a valve. The valve comprises at least one valve member and a closing member where the valve member has an inlet port, which is adapted for connection to a fluid source and an outlet port, which is adapted for connection to the container.

Fluid communication from the inlet to the outlet port is only possible, if a static pressure difference across the valve member is below a pre-determinable threshold.

In Tepsa there is no disclosure found for a container with a valve allowing fluid communication from the fluid source to the container (i.e. from the inlet to the outlet of the valve and to the container) only if a static pressure difference is below a threshold. Tepsa relates to a safety-valve, which prevents the accidental escape of gas when a pressure gas line leaks or is interrupted. The inlet port of the valve described in Tepsa is connectable to a source container, whereas claim 17 requires that the outlet port of the valve be adapted for connection to the container.

Claim 17 thus is novel. Claim 18 is deemed patentable based on its dependency from claim 17.

Novelty of claim 19 over EP 0 161 348

Claims 19 relates to a method for filling a container according to claim 17. As claim 17 is novel over Tepsa, the method claims is allowable as well.

Furthermore, the step b) (controlling the delivery pressure of the fluid at the inlet port of the valve such as to maintain the static pressure difference across a valve member of the valve below a predetermined or predeterminable first threshold) is also novel

over Tepsa. Tepsa does not disclose the step of controlling the delivery pressure to the valve inlet. Rather, in Tepsa the delivery pressure is controlled by a pressure regulator which is connected to the *outlet* port of the safety valve. Thus, claim 19 is deemed novel over Tepsa.

Conclusion

For the above reasons, we believe the invention defined by the claims now presented is patentable over the prior art, particularly Tepsa, and that this application is in proper form for allowance.

Respectfully submitted,

/Charles Fallow/

Charles W. Fallow
Reg. No. 28,946

Shoemaker and Mattare, Ltd.
10 Post Office Road - Suite 100
Silver Spring, Maryland 20910

February 20, 2007